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BEFORE THE BOARD OF OSTEOPATHIC EXAMINERS
FOR THE STATE OF ARIZONA

IN THE MATTER OF)
Harvey E. Williams, D.O.)
Holder of License No. 1258)
In and for the State of Arizona)

STIPULATION FOR FINDINGS OF
FACT, CONCLUSIONS OF LAW AND
CONSENT ORDER

By mutual agreement and understanding, the Arizona State Board of Osteopathic Examiners ("Board") and Harvey E. Williams, D.O. (hereinafter "Respondent"), the parties hereto, agree to the following disposition of this matter.

1. Respondent acknowledges that he has read this Stipulation and the attached Consent Order; and, he is aware of and understands the content of these documents.

2. Respondent understands that by entering into this Stipulation he voluntarily relinquishes any rights to a hearing or judicial review on the matters alleged as ground for disciplinary action.

3. Respondent acknowledges his understanding that this Consent Order and Stipulation will not become effective until approved by this Board and signed by its Executive Director.

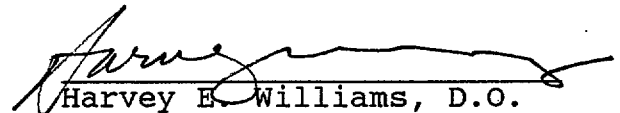
4. Respondent further understands that this Stipulation and Consent Order, once approved and signed, shall constitute a public record which may be disseminated as a formal disciplinary action of the Board.

5. Respondent admits to the facts solely for the purpose of the disposition of the Board's proceedings and consents to all

1 the terms contained in the Consent Order.

2 6. Any violation of said Consent Order constitutes
3 unprofessional conduct pursuant to A.R.S. § 32-1854(26) and may
4 result in disciplinary action pursuant to A.R.S. § 32-1855.

5 SIGNED this 24 day of July, 1992.

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8 
Harvey E. Williams, D.O.

9 Reviewed and approved as to form
10 by legal counsel for Respondent:

11 

12
13 Kraig J. Marton
Attorney at Law

Date: 7/24/92

14 ENTERED this 25th day of July, 1992.

15 BOARD OF OSTEOPATHIC EXAMINERS

16
17 By: 
18 Robert J. Miller, Ph.D.
Executive Director

19 FINDINGS OF FACT

20 1. The Board of Osteopathic Examiners of the State of
21 Arizona ("Board") is the duly constituted authority for the
22 regulation and control for the practice of osteopathic medicine in
23 the State of Arizona.

24 2. Harvey E. Williams, D.O., is the holder of License
25 No. 1258 for the practice of medicine in the State of Arizona.

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2 3. During an informal interview with Respondent on April
3 4, 1992, the Board considered several complaints concerning
4 Respondent's inability to appropriately perform cosmetic surgery
5 procedures on the breasts of female patients. The aforementioned
6 patient complaints are identified as Board complaint file nos. 1276,
7 1299, 1340, 1365, 1367. The Board has since considered number 1420.
8 The Board's findings concerning the aforementioned cases are limited
9 solely to those cases and it is not intended by the Board that these
10 findings constitute a disposition of other pending or future
11 complaints involving cosmetic surgical procedures on the breasts of
12 female patients treated by Respondent.

13 4. Respondent, with the assistance of legal counsel,
14 during the informal interview hearing, expressed his desire to
15 voluntarily enter into a consent order for restriction of his
16 practice of osteopathic medicine and surgery in the State of
17 Arizona.

18 CONCLUSIONS OF LAW

19 1. The Board of Osteopathic Examiners of the State of
20 Arizona possesses jurisdiction over the subject matter hereof and
21 over Harvey E. Williams, D.O., pursuant to A.R.S. § 32-1801, et seq.

22 2. Based upon the Findings of Fact, the Board concludes
23 that the Respondent engaged in unprofessional conduct in violation
24 of A.R.S. § 32-1854(6), i.e., repeated malpractice and A.R.S. § 32-
25 1854(19), i.e., any conduct or practice which does or might
26 constitute a danger to the health, welfare or safety of the patient.

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2 3. Respondent has not expressly admitted that he has
3 engaged in unprofessional conduct in regard to the aforementioned
4 complaints. However, Respondent acknowledges that the Board is
5 relying upon said allegations for the purposes of issuing the order
6 that follows hereafter. Therefore, the Board concludes that there
7 is substantial evidence before it to support the findings of facts,
8 conclusions of law and order.

9 ORDER


10 Pursuant to the authority vested in the Board by A.R.S.
11 §§ 32-1855(E)(4) and 41-1061(D), IT IS HEREBY ORDERED that Harvey
12 E. Williams, D.O., is permanently restricted from performing any
13 breast surgery in Arizona. For the purposes of this order "breast
14 surgery" means all breast implants, lifts, reconstruction, or other
15 surgeries related to the breast and performed either entirely or
16 partially for cosmetic purposes.

17 This order and its restrictions do not apply to surgery
18 performed in the course of the treatment by Respondent of
19 dermatological pathologies or diseases of the skin.

20 Respondent is hereby censured for the failure to require
21 a mammogram prior to surgery, in case #1276.

22 ENTERED this 25th day of July, 1992.

23 BOARD OF OSTEOPATHIC EXAMINERS

24 
25 Robert J. Miller, Ph.D.
26 Executive Director
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